



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 5, 2021

BY ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Stephen M. Calk*, 19 Cr. 366 (LGS)

Dear Judge Schofield:

The Government writes with respect to the S1 superseding indictment returned in the above-captioned matter, which was returned yesterday and docketed this morning. The only material change between the S1 and the original indictment is the addition of Count Two, which charges Calk with conspiring to commit the same crime (financial institution bribery) with the same persons, based on the same course of events, already charged substantively in Count One. A “redline” comparing the S1 and original indictments is attached for the Court’s convenience. While the Government is continuously reviewing its files for Rule 16 material – and will immediately produce any new or additional such material it discovers – the Government does not anticipate that the return of the superseding indictment or the additional count contained therein will require the production of any new or additional discovery.

In addition, and since the S1 indictment has now been returned, the Government respectfully submits that its *ex parte* letter of February 22, 2021 no longer needs to remain under seal, and therefore respectfully requests that the letter be unsealed and the Government permitted to file it publicly.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

by: /s/ Paul M. Monteleoni
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cc: Counsel of Record (via ECF)